

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

LAW OFFICERS – Amendment to Instruction 11 of the Andhra Pradesh Law Officers (Appointment and Conditions of Service) Instructions, 2000 issued in G.O.Ms.No.187, Law, dated 06-12-2000 – Orders – Issued.

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**LAW (L.2) DEPARTMENT**

G.O.Rt.No. 591

Dated:06-04-2010.  
Read the following:

1. G.O.Ms.No.187, Law, dated 06-12-2000.
2. Govt. Memo No.3961/98/L.3/2009, Law, dated 26-06-2009.
3. Home (Courts.A2) Department U.O.No.20292/Cts.A2/2009, dated 18-08-2009.
4. Law U.O.No.5304/LSP/2009, dated 14-12-2009.

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**ORDER:**

As per Instruction 11 of the Andhra Pradesh Law Officers (Appointment and Conditions of Service) Instructions, 2000 issued in the G.O. 1<sup>st</sup> read above, Advocate General and the District Collectors are empowered to make interim arrangements in case of death, resignation, absence, expiry of term of Law Officer or where there is a necessity and urgency and obtain ratification from the Government.

In the reference 2<sup>nd</sup> read above, instructions were issued to all the District Collectors to prepare the panels before six months of the expiry of the term of Law Officers and send the panels of Advocates to the Government at least three months before the expiry of the term of the incumbents to make regular appointment of Law Officers in time.

Whereas, the District Collectors are not sending panels to the Government at least three months before the expiry of the term of the incumbents to make regular appointment of Law Officers in time and also not sending the ratification proposals to the Government even after expiry of the term of the Law Officers. This is causing much inconvenience in day to day administration and the interest of the Government is defeated.

And whereas, in the reference 3<sup>rd</sup> read above, the Director of Prosecutions, A.P., Hyderabad, among other things, has stated that according to Sec.25 of the Criminal Procedure Code, the Director of Prosecutions is a statutory body and all the Prosecuting officers appointed under Sec.24 and 25 of the said Code are under the control of the Director of Prosecutions.

Whereas, Instruction 11 of the Andhra Pradesh Law Officers (Appointment and Conditions of Service) Instructions, 2000 issued in the G.O. 1<sup>st</sup> read above, empowers the District Collectors to make interim arrangements in case of death, resignation, absence, expiry of term of Law Officer or where there is a necessity and urgency. The Director of Prosecutions has further informed that as the District Collectors are involved in various departmental activities, besides attending to normal duties there has been always delay in sending panels and also in making interim arrangements and thereby resulting in dislocation of Prosecution work in Sessions Courts, which is against to the spirit of establishment of Director of Prosecutions and therefore requested to amend Instruction 11 of the Andhra Pradesh Law Officers (Appointment, Conditions of Service) Instructions, 2000 issued in the G.O. 1<sup>st</sup> read above.

And whereas, it has come to the notice of the Government that the Law Officers, whose term of office have already expired, are continuing as incharge GP/AGPs in the subordinate courts as well as in the High Court and other state level courts based on the proceedings of the District Collector or the Advocate General as the case may be, without any ratification by the Government, which is against to Instruction 11 of the A.P. Law Officers (Appointment, Conditions of Service) Instructions, 2000 issued in the G.O. 1<sup>st</sup> read above.

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Therefore, to avoid delay in making interim arrangements in case of death, resignation, absence, expiry of term of Law Officer or where there is a necessity and urgency, it has become necessary to amend Instruction 11 of the A.P. Law Officers (Appointment, Conditions of Service) Instructions, 2000 issued in the G.O. 1<sup>st</sup> read above, empowering the Government as well as the Director of Prosecutions to make interim arrangements. The amendment hereby made shall be deemed to have come into force with immediate effect.

### **AMENDMENT**

The following provisions shall be added to Instruction 11 of the Andhra Pradesh Law Officers (Appointment and Conditions of Service) Instructions, 2000 issued in G.O.Ms.No.187, Law, dated 06-12-2000:-

**Provided that the Director of Prosecutions may make interim arrangements in case of death, resignation, absence, expiry of term of the Public Prosecutors / Additional / Assistant / Special Public Prosecutors in all the courts except at the High Court or where there is a necessity and urgency and obtain ratification from the Government”.**

**Provided that the Government shall make interim arrangements, if the ratification proposals making interim arrangements are not received in the Government from the Advocate-General, District Collectors and Director of Prosecutions, as the case may be on or before the date of expiry of the term of incumbents. Unless, the ratification orders are issued by the Government, the honorarium of such law officers cannot be paid”.**

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**V. SURI APPA RAO,  
Secretary to Government,  
Legal Affairs.**

To

The Advocate General for the State of A.P., Hyderabad.

All the District Collectors.

The Director of Prosecutions, A.P., Hyderabad.

All Departments of Secretariat.

All the District & Sessions Judges.

All District Treasury Officers.

The Managing Directors of all State Public Undertakings

The Registrars of All Universities in the State.

The Managing Directors of all Apex Cooperative bodies in the State

/Instrumentalities of the Government.

All Commissioners of Municipal Corporations in the State.

All the Commissioners of Municipalities in the State.

The Chief Executive Officers of Zilla Parishads in the State

All Heads of Departments.

**Copy to:** The Prl. Secretary to Hon'ble C.M.

„ : The P.S. to Hon'ble Minister for Law & Courts, T.E. & I.T.Is.

„ : The P.S. to Chief Secretary.

„ : The Registrar, High Court of A.P.

„ : The Accountant General, A.P., Hyderabad.

„ : The Pay and Accounts Officer, Main Branch, Hyderabad.

„ : The P.S. to Secretary, Legal Affairs, Law Department.

„ : The P.S. to Secretary, Legislative Affairs & Justice, Law Department.

„ : S/f and S/c.

// forwarded by order //

**SECTION OFFICER**